

REMARKS

1. Information Disclosure Statements

The applicants respectfully request acknowledgment of consideration of the Information Disclosure Statements filed March 22, 2006 and July 25, 2007 in the next Office communication. It is believed that all the necessary documents required for consideration are of record, however, replacement copies can be provided upon request.

2. Claim Amendments

The description of the XY stage of amended claim 1 and new claim 4 is found in FIG. 17 and the description thereof in paragraphs [0072] - [0077] of applicants' specification.

3. Claim Rejections

The rejection of claims 1-3 for obviousness is respectfully traversed. As taught in the background section of applicants' specification, in paragraph [0008], one of the problems with the relevant prior art is that the microscope has a vertical optical axis which necessitates a relatively large overall vertical dimension. In the apparatus of Kanegasaki et al., the "inverted microscope" has a vertical optical axis and therefore represents the problem to which the present invention is directed. In the present invention, a low profile apparatus (reduced vertical dimension) is enabled by provision of a horizontal optical axis, i.e. an optical axis which is horizontal except for that portion passing through the objective lens.

Further, because the present invention has the optical system of the optical observation means mounted on a second stage, which, in turn, is mounted on a

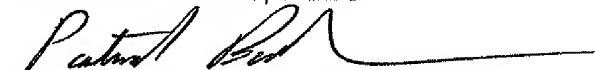
slidable first stage, the entirety of the optical observation means is moved by movement of the first stage. With the claimed arrangement, there is no need to move the cell observation chamber and both the optical observation means and the XY stage can be housed within the casing. In contrast the XY stage mentioned in Kanagasaki et al serves to move the cell observation chamber (not the optical observation means), supported thereon, in a XY plane.

Amended claim 1 further distinguishes the prior art in defining the camera as being slidably mounted on the second stage for horizontal movement to adjust the focal point of the camera. This feature also contributes to applicants' objective of reducing the vertical dimension of the apparatus.

4. Conclusion

Reconsideration of the rejection is respectfully requested.

Respectfully submitted,
Bacon & Thomas, PLLC



PATRICK M. BUECHNER
Registration No. 57,504
For
George A. Loud
Registration No. 25,814

Date: January 15, 2009
Customer Number 23364
625 Slaters Lane
Alexandria, VA 22314
Telephone: 703-683-0500